

**WASHINGTON STATE HUMAN RIGHTS COMMISSION
MEETING OF
June 27-28, 2002
Oxford Suites
Spokane, WA**

MINUTES

THURSDAY, JUNE 27

PARTICIPANTS

Commissioners: Rudy Vasquez (Chair); Dallas Barnes; J. Reiko Callner; and Charlotte Coker.

Staff: Susan (Sue) J. Jordan; Executive Director; Cheryl Strobert, District Manager; Tanya Calahan, Commission Clerk; and Bruce Redding and Lawrence Goodrow, Equal Opportunity Compliance Investigators.

Guests: Heidi Silver, Northwest Housing Alliance; Mark Santow, Desiree Desell, and Morton Alexander, Spokane Human Rights Commission.

OPENING

The meeting was called to order by Commissioner Vasquez at 7:00 p.m. He welcomed everyone to the meeting.

**SPOKANE OFFICE
UPDATE**

Lawrence Goodrow and Bruce Redding gave an overview of statewide and Spokane County complaint statistics. Over the past year, disability complaints have increased in Spokane County and statewide. In 2000, there were 23 race complaints filed in Spokane County. In 2001, there were seven race complaints filed in Spokane County. As of May 31, 2002, there were only two race complaints filed for Spokane County. Commissioner Vasquez asked about a trend line to see if there is a pattern. Mr. Redding commented that decreased race complaints could indicate a possible delayed response to an economic downturn.

There was discussion about discrimination in the areas of credit and insurance; which have very few complaints. Also, discrimination in these areas is hard to prove in many instances.

Mr. Goodrow and Mr. Redding next spoke about outreach activities in Spokane County. Nine outreach and training sessions were held

so far in 2002. A total of 116 people attended these events. Four sessions were for private companies as a result of pre finding or conciliation settlements. Two sessions were "Know Your Rights" seminars that were open to the general public.

Staff recently attended the Congress on Race Relations Conference that was held at Gonzaga University. The Commission had a booth at the conference. It was well attended.

Commissioner Vasquez asked whether the outreach focus was in Spokane County or whether sessions were held in other areas covered by the Spokane District Office. Mr. Redding shared that outreach has been done in Colville. Later in the year, Okanogan County will be covered.

Mr. Redding commented about an event attended by Equal Opportunity Compliance Specialist Marilyn Akita in Port Angeles. It was held during the day and it was attended by only about 20 people. Commissioner Vasquez stated that it may be more effective to hold training session later in the day to accommodate work schedules.

Commissioner Vasquez commended the Spokane office staff for the work that they do. Lawrence Goodrow expressed his appreciation for the Commission and the work that it does. He stated that working for the Commission has been a wonderful experience. Mr. Goodrow recently resigned from the agency to pursue other opportunities.

**SPOKANE
HUMAN RIGHTS
COMMISSION**

Mark Santow, Morton Alexander, and Desiree Desell spoke on behalf of the Spokane Human Rights Commission (SHRC).

Mr. Santow highlighted the major projects that SHRC has been involved in over the past year. In addition to goal setting and organization work, the SHRC has been focusing on two major issues: 1) poverty and living wage law and 2) domestic partnership benefits for city employees.

Mr. Santow explained how poverty is a major problem in Spokane. As a result, SHRC decided in February 2002 to raise awareness of this issue and build a coalition dedicated to getting a living wage law passed in Spokane either by referendum or through Spokane City Council. SHRC then established a Poverty and Living Wage Committee which has been meeting with church groups, unions, and citizens in the past four months to build a city wide coalition titled "Spokane Citizens for a Living Wage." The committee's immediate

goal is to have a proposed city ordinance, and build a coalition around it.

Commissioner Vasquez inquired about what a living wage law would contain. Mr. Santow stated that a local living wage law would increase the local minimum wage. Businesses with city contracts can increase employee wages to a livable standard, where a family could make a decent living without needing public assistance. He commented that employers receive substantial tax subsidies but some only pay their employees seven dollars (\$7) per hour. A living wage law could help hold employers accountable if they don't create jobs with livable wages.

Mr. Santow shared that many cities in Washington provide domestic partnership benefits to city employees. A committee was established by SHRC to create the same benefits for City of Spokane employees. This issue has received a lot of local publicity. Positive comments have been received in support of a proposed law requiring domestic partner benefits for City of Spokane employees.

Desiree Desell commented about SHRC's ongoing activities with local youths. An education committee is in place to help promote diversity in schools.

Organizationally, SHRC has experienced recent changes. There are six new commissioners who were appointed in February 2002. There are plans to fill four commissioner vacancies by the end of July 2002. Commissioner Callner asked about SHRC's structure and its relationship with the Spokane City Council. Mr. Santow commented that the relationship lacks definition in the city ordinance. SHRC has made it a priority to formalize a relationship with the Spokane City Council and clarify the roles of each group. Plans are underway to appoint a liaison for each group for this purpose.

**NORTHWEST
FAIR HOUSING
ALLIANCE**

Heidi Silver spoke on behalf of the Northwest Fair Housing Alliance (NWFHA). They are a partner with the Commission on a Fair Housing Initiatives Grant (FHIP) from the US Department of Housing and Urban Development (HUD). The purpose of the grant is to do outreach to monolingual communities throughout Washington. Ms. Silver commented about how it is hard to gain the trust of immigrant communities. Extensive outreach is being done to reach them.

NWFHA received 57 complaints over the past year. As a result of settlement efforts, 25 reasonable accommodations were negotiated

for the benefit of complainants. Eleven complaints were referred to either HUD or the Commission. Twelve fair housing tests were conducted. They are currently working with the Commission on eight different complaints.

Ms. Silver read a statement prepared by Executive Director of NWFHA Florrie Brassier. Ms. Brassier expressed concern about the Lynn v. Ogden Hall case, which has a current no reasonable cause recommendation. Ms. Brassier requested that consideration of this case be delayed by one month so additional information could be gathered and considered regarding the case.

The Commissioners thanked Ms. Silver for her presentation.

OPEN FORUM

Commissioner Vasquez commented about national origin discrimination, which appears to be the focus, when disability discrimination is on the rise. Ms. Silver commented that the cost of living in Spokane is low so many people with disabilities choose to live there. Also, because of the number of individuals with disabilities, there are many services that benefit the disabled community in Spokane.

Ms. Silver commented further about fair housing testing. She stated that in the Tri Cities area, Hispanic testers have been told that there are no vacancies, whereas Caucasian testers have not. This testing is funded by a FHIP grant. Ms. Silver will put Commissioner Barnes, who is from the Tri Cities, in touch with NWFHA's Sunnyside staff.

NWFHA is a small organization. It is funded solely by FHIP grants. Ms. Silver spoke about the vigilance needed in fair housing. FHIP agencies such as NWFHA have to compete with other FHIPs for funds. It is also challenge to obtain funding from other sources.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:40 p.m.

Respectfully submitted,



Tanya Y. Calahan
Commission Clerk

FRIDAY, JUNE 28

PARTICIPANTS

Commissioners: Rudy Vasquez (Chair); Charlotte Coker; Dallas Barnes; and J. Reiko Callner. A quorum was present.

Staff: Susan (Sue) J. Jordan, Executive Director; Cheryl Strobert, District Manager; Bruce Redding, Equal Opportunity Compliance Investigator; and Tanya Calahan, Commission Clerk.

Guests: There were no guests present.

OPENING

The meeting was called to order at 9:00 a.m. by Commissioner Vasquez.

APPROVAL OF MINUTES

Commissioner Barnes requested that “Dr.” be added to Vernon Johnson’s name on page four of the May 16-17, 2002 minutes. He also requested that the minutes be amended on page seven to read that he made a motion to grant reconsideration in the Elaine Simmons v. Pitney Bowes case and that the motion died for lack of a second. Commissioner Callner requested that the minutes be changed on page seven to reflect that she did not make or second a motion in either the case of Elaine Simmons v. Pitney Bowes or the Elaine Toomey v. Watermark Press. Commissioner Callner was not present at the meeting when these cases were considered. Commission Clerk Tanya Calahan stated that this was a typographical error. Commissioner Callner then made a motion to approve the minutes of May 16-17, 2002 with the noted amendments. Commissioner Coker seconded the motion. MOTION CARRIED.

APPROVAL OF CASE CLOSURES

Discussion ensued about several cases before the Commission. In the case of Smith v. Dean Lee Honda of Fife, Commissioner Coker noted that finding of fact number 11 in the no reasonable cause finding should be changed to read “Respondent” instead of “Complainant.” Staff will correct the finding.

Commissioner Coker noted that in the Ma v. Razbeck Engineering case, finding of fact number four should be changed to reflect the calendar year of “2001” instead of “2000.” Staff will make this correction to the finding.

Commissioner Barnes expressed concern about the Williams v. Rite Aid case and the appearance of racial profiling. Although the case resulted in a no reasonable cause finding, Commissioner Barnes requested that a letter be sent to Respondent that informs them that

they “got the Commission’s attention.” The letter should come from the Commission and should caution Respondent against general stereotyping that could be perceived as racial profiling. Staff will draft the letter for the Commission.

Commissioner Callner stated that the Commission should respond to the statement that was read by Heidi Silver on behalf of Florrie Brassier of Northwest Fair Housing Alliance. The statement was regarding the Lynn v. Ogden Hall case. She stated that a letter should come from the Commission which thanks Ms. Brassier for her concerns and that the Commission must remain impartial. The letter should also advise Ms. Brassier that all parties must follow the same process for complaint investigations and reconsideration requests.

The Commissioners requested a brief summary of the Lynn v. Ogden Hall case. District Manager Cheryl Strobert and Equal Opportunity Compliance Investigator Bruce Redding provided that summary.

Complainant was previously admitted into Respondent’s shelter but was not admitted a second time after Respondent staff conducted an evaluation of Complainant. Respondent concluded that Complainant did not meet safety requirements because of her behavior. Complainant’s behavior resulted in her exclusion from admittance into Respondent’s facility, not her disability. Many persons with disabilities are residents of Respondent’s facility at any given time.

Commissioner Callner asked about the Kostecki v. Paris Miki USA Inc./Optical Illusions case. She requested clarification in finding of fact number six; specifically, whether “Mr. Chase” is the same person as “Jeffrey.” Staff will look into this and make any necessary corrections to clarify this.

Commissioner Barnes then made a motion to approve the case list for the period of May 18-June 21, 2002 with the noted additions and corrections. Commissioner Coker seconded the motion. MOTION CARRIED.

EXECUTIVE DIRECTOR’S REPORT

Executive Director Sue Jordan highlighted her monthly written Executive Director’s report. She spoke about agency activities.

She shared that the District Manager accountability has improved. She also spoke about agency accountability to the Commissioners and the public.

Ms. Jordan had several meetings in June. She met with Antonio Ginatta of the Commission on Hispanic Affairs. He provided community contact information. Ms. Jordan met with Commissioner Vasquez on June 5, 2002.

The agency web site has been updated and is available to view at www.wa.gov/hrc. Refinements and revisions to the web site are ongoing.

Commissioner Barnes talked about the recent policy conference sponsored by the US Department of Housing and Urban Development (HUD) on June 9-14, 2002 in Orlando, Florida. He attended the conference along with Executive Director Sue Jordan, Assistant Attorney General Paul Goulding, and District Manager Arthur Stratton.

Commissioner Barnes shared that he had the opportunity to meet with Human Rights Commissioners from the City of Tacoma and individuals with Iowa human rights agencies at the conference. This provided a good opportunity to network and share information. Predatory lending practices against individuals in the Hispanic community was one of the topics discussed at the conference.

Executive Director Sue Jordan added that accountability was a major focus at the conference. If there is no case production, no funding from HUD is received. She commented that the Federal Fair Housing Act has a good language regarding criminal fair housing violations. Issues such as "cross burning" and the difference between free speech and harassment were discussed.

COMMISSION BUSINESS

Commissioner Vasquez handed out information to the Commissioners on social marketing for them to read at their pleasure. The Commission does not currently have a marketing policy. He spoke about how important it was to be in line with the agency mission of engaging the community. Sample information from the State of Florida was provided to the Commissioners. It described various events that the Florida Human Rights Commission sponsored to engage the community.

Commissioner Callner expressed that she was looking forward to learning more and representing the Commission to the community. Commissioner Vasquez stated that more discussion is needed in this area by the Commissioners.

The Commissioners discussed the agency logo and tag line contest. Commissioners Vasquez expressed concern about making a decision

on a logo and tag line because it would impact how consumers perceive the Commission. He stated that there is no criteria to measure any impacts.

Commissioner Coker stated she likes the idea of a logo and tag line contest and did not have any immediate concerns about the process.

Commissioner Barnes commented that the logos appeared to have extremes; nurturing on one end and "hard hitting" on the other end. He stated that the Commission is a law enforcement agency and any logo and tag line used by the agency should reflect that. He stated that he like tag line number one, "Equal Access, Equal Treatment, Equal Rights." He shared that he didn't see the sense of urgency in selecting a logo and tag line immediately.

Commissioner Callner stated that a logo and tag line contest is a nice morale builder. She stressed that since the contest had been initiated in March it seemed important to come up with a result, for the sake of the contenders who were waiting. She then commented about the different logos and how perceptions differ and how some logos could have a negative perception. Of the proposed logos, she selected the seal of the State of Washington with the equal sign. Commission Clerk Tanya Calahan shared that the Commission has its own judicially noted seal, of which she has custody.

Commissioner Vasquez expressed that test marketing should be explored before taking a logo and tag line forward. How this fits into a marketing plan should be evaluated.

Commissioner Coker then made a motion to select the seal of the State of Washington with the equal sign as the winning agency logo. Commissioner Callner seconded the motion. Commissioner Vasquez abstained. MOTION CARRIED.

Commissioner Callner next made a motion to adopt tag line number one, "Equal Access, Equal Treatment, Equal Rights" as the winning agency tag line. Commissioner Coker seconded the motion. MOTION CARRIED.

Commissioner Vasquez noted that the logo and tag line winners were selected; however, they are not to be implemented at this time. Further discussion will take place by the Commissioners about a marketing policy. September 2002 is the target for developing the policy. Preliminary discussions will take place in July and August. The Commissioners will set the policy and send it back to staff to submit a plan.

District Manager Cheryl Strobert stated that work is already in progress by staff on outreach and marketing. The committee that is working on this has a plan also. This work being done by staff is a result of the agency's strategic plan.

Commissioner Vasquez expressed concern about the lack of data or research for the logo and tag line; there are no measurement tools being used; there is no policy in place; and the community is not being engaged in the process.

Ms. Strobert commented about the Outreach and Marketing Committee's work on implementing the strategic plan. Brochures are being updated and other work is being done. She requested clarification from the Commission about how to bring things back to them for their consideration.

Commissioner Coker requested that the Commissioners be provided copies of individual workgroup plans so the Commissioners can see what work is being done. Staff will provide an update of the workgroups' activities to the Commissioners.

Commissioner Vasquez stated that if staff is developing a long range plan, it is important that it meets the agency's values. Also, he expressed that it was important that all pieces are in place before an outreach and marketing plan is implemented; including a policy and budget before it moves forward.

Ms. Strobert shared that feedback has been received internally and externally by using data from surveys. This information was used as part of the Outreach and Marketing Plan.

The Commissioners discussed the possibility of holding a special meeting to receive updates on the status of the strategic plan and workgroup and sub-committee progress.

The Commissioners next addressed the draft policy on Interpretation and Translation. Commissioner Vasquez highlighted the document. He stated that the issue is access to Commission services by the public. Commissioner Callner suggested changes to the draft policy because it sounds overly directive as written. "Shall" should be changed to "shall strive to."

Executive Director Sue Jordan commented that the cost of translating materials into seven languages is costly; so budget impacts should be considered.

Commissioner Barnes stated that this draft policy addresses non and limited English speaking individuals but it does not address illiterate or disabled individuals.

Commissioner Vasquez commented that refinements need to be made to this draft. It is a starting point.

Commission Clerk Tanya Calahan will redraft the policy to include the suggested changes and distribute it to the Commissioners before the July 2002 Commission meeting.

Commissioner Barnes spoke about the Commissioner Orientation Manual. He stated that bylaws should be included. Commissioner Vasquez shared that he is working on getting the pieces for the bylaws together. He and Commissioner Coker will work on a draft bylaw document for the September 2002 Commission meeting.

The Commissioners considered the draft Statement of Policy Regarding Investigative Files and the draft Statement of Policy Regarding Agency Work Product.

Commissioner Vasquez asked about the Statement of Policy Regarding Agency Work Product; specifically about internal and external stakeholders. He stated that emphasis should be placed on the public. Clarification is needed.

Commissioner Callner will draft a memo to include with both policy statements that clarifies them.

Commissioner Callner then made a motion to adopt the Statement of Policy on Investigative Files. Commissioner Coker seconded the motion. MOTION CARRIED.

Commissioner Callner then made a motion to adopt the Statement of Policy Regarding Agency Work Product. Commissioner Coker seconded the motion. MOTION CARRIED.

Commissioner Vasquez announced that the Commissioners will be entering an Executive Session to conduct the evaluation of Executive Director Sue Jordan. The Executive Session convened at 11:47 a.m. The Executive Session ended at 12:40 p.m. Commissioner Coker announced that Ms. Jordan's evaluation was completed and signed by her. No other action was taken as a result of the Executive Session.

ADJOURNMENT

There being no further business, the meeting was adjourned at 1 p.m.

Respectfully submitted,

A handwritten signature in cursive script, reading "Tanya Y. Calahan".

Tanya Y. Calahan
Commission Clerk

ACTION ITEMS
JUNE 27-28, 2002 COMMISSION MEETING

1. **Item:** In the case of Smith v. Dean Lee Honda of Fife, correct finding of fact number 11 in the no reasonable cause finding to read “Respondent” instead of “Complainant.”.

Status: The finding was corrected and was mailed to all parties on July 2, 2002.
2. **Item:** In the case of Ma v. Razbeck Engineering, correct finding of fact number four to read the calendar year “2001” instead of “2000.”

Status: The finding was corrected and mailed to all parties on July 2, 2002.
3. **Item:** Send a letter to the Respondent in the case of Williams v. Rite Aid regarding general stereotyping practices.

Status: The letter was drafted and will be mailed before the July 2002 Commission meeting after Commission approval.
4. **Item:** Send a letter to Florrie Brassier of NW Fair Housing Alliance regarding the Lynn v. Ogden Hall case acknowledging Ms. Brassier’s concerns.

Status: The letter was mailed to Ms. Brassier on July 8, 2002. A copy was mailed to the Commissioners on July 12, 2002.
5. **Item:** In the case of Kostecki v. Paris Miki USA Inc./ Optical Illusions, clarify finding of fact number six to explain whether “Mr. Chase” is the same person as “Jeffrey.”

Status: The finding was corrected to clarify that “Mr. Chase” and “Jeffrey” are the same person.
6. **Item:** Send the Commissioners a copy of the Strategic Plan workgroup updates.

Status: An update was mailed to the Commissioners on July 12, 2002.
7. **Item:** Make suggested changes to the draft Interpretation and Translation Policy and provide it to the Commissioners for further discussion.

Status: Commission Clerk Tanya Calahan made the suggested changes and mailed the draft policy to the Commissioners on July 19, 2002.
8. **Item:** Commissioner Callner will draft a memo to include with the recently adopted Statement of Policy Regarding Agency Work Product and Statement of Policy on Investigative Files.

Status: The memo will be finalized before the July 25-26, 2002 Commission meeting.